



Best Available Copy

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/647,254      | 08/26/2003  | Jong-hak Ahn         | Q76509              | 3042             |

23373 7590 01/22/2008  
SUGHRUE MION, PLLC  
2100 PENNSYLVANIA AVENUE, N.W.  
SUITE 800  
WASHINGTON, DC 20037

EXAMINER

ALAVI, AMIR

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2624

|           |               |
|-----------|---------------|
| MAIL DATE | DELIVERY MODE |
|-----------|---------------|

01/22/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

### Application No.

10/647,254

### Applicant(s)

AHN ET AL.

### Examiner

Amir Alavi

### Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3, 8-10, 15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 8, 9, 15 and 16 is/are rejected.
- 7) ☒ Claim(s) 3 and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **Response to Arguments**

- Applicant's amendment filed, 21 November 2007 has been entered and made of record.
- In view of changes made, the Objection made to the Title of the invention has been withdrawn.
- Applicant's arguments with respect to claims 1-3,8-10 have been considered but are moot in view of the new ground(s) of rejection.

## DETAILED ACTION

### Claim Rejections - 35 USC § 102

- The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- Claims 1-2 and 8-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Gould et al. (USPN 5,563,649).

Regarding claim 1, Gould et al. recite determining whether to perform motion compensation on motion vector decoded data or not depending on a value of a decoded motion vector, determining whether to perform inverse discrete cosine transformation (IDCT) on motion compensated data or not depending on a plurality of

values of decoded DCT coefficients (Please note, column 15, lines 55-67. As indicated motion vectors are decoded, difference data are decompressed using variable length decoding, coefficient reordering, dequantization and inverse DCT transformation. In the case of "P" frames, the decoded coefficients correspond to differences between the present frame and the motion compensated estimate of last most occurring reference frame) and generating a decoded image based on results of the determining whether to perform the motion compensation and the determining whether to perform the IDCT (Please note, column 16, lines 1-4. As indicated the sums generated correspond to pixel values for the "P" frame, which are output to the frame reconstruction unit and also stored in the reference frame buffer).

Regarding claim 2, Gould et al. recite determining whether or not the value of the decoded motion vector is 0 (Please note, column 15, lines 59-61. As indicated for "I" frames, there are no motion vectors, and the decoded DCT coefficients correspond to blocks of pixel values) and determining not to perform the motion compensation if the value of the decoded motion vector is 0 and determining to perform the motion compensation if the value of the decoded motion vector is not 0 (Please note, column 15, lines 61-63. As indicated these values are therefore passed unaltered to the frame reconstruction unit).

Regarding claims 8-9, arguments analogous to those presented for claims 1-2, respectively, are applicable.

## Claim Rejections - 35 USC § 102

- The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

- Claims 15-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Etoh et al.(USPAP 2005/0063466 A1).

Regarding claim 15, Etoh et al. recite determining whether to perform motion compensation on motion vector decoded data or not depending on a value of a decoded motion vector and generating a decoded image based on result of the determining whether to perform the motion compensation (Please note, paragraph 0058. As indicated a determination section configured to determine whether or not the motion vector decoded by the motion vector decoding section is a predetermined

motion vector set in accordance with the motion vector predicted by the prediction section and a switching section configured to switch a method of calculating a motion compensation value for the predetermined area to be decoded depending on whether or not the motion vector decoded by the motion vector decoding section is the predetermined motion vector).

Regarding claim 16, Etoh et al. recite a motion determiner determine ing whether to perform motion compensation or not depending on a value of a decoded motion vector (Please note, paragraph 0058. As indicated a determination section configured to determine whether or not the motion vector decoded by the motion vector decoding section is a predetermined motion vector set in accordance with the motion vector predicted by the prediction section and a switching section configured to switch a method of calculating a motion compensation value for the predetermined area to be decoded depending on whether or not the motion vector decoded by the motion vector decoding section is the predetermined motion vector), wherein an MPEG video stream is decoded based on a determination of the motion vector determiner (Please note, paragraph 0058. As indicated a moving picture decoding device).

### **Allowable Subject Matter**

- Claims 3 and 9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
- Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amir Alavi whose telephone number is 571-272-7386. The examiner can normally be reached on Mon-Thu.. 8:00 am thru 6:30pm.
- If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached on 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
- Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.



Application/Control Number:  
10/647,254  
Art Unit: 2624

Page 8

- Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AA  
Technology Division 2624  
14 January 2007

AMIR ALAVI  
PRIMARY PATENT EXAMINER  
*Amir Alavi*